

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF VIRGINIA
Harrisonburg Division**

RLI INSURANCE COMPANY,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 5:18CV00066-MFU-JCH
)	
NEXUS SERVICES, INC.,)	
LIBRE BY NEXUS, INC.,)	
HOMES BY NEXUS, INC.,)	
)	
Defendants.)	
_____)	

**REPLY IN SUPPORT OF RLI'S MOTION TO COMPEL
ENTLEST BRANDS, INC. TO RESPOND TO RLI'S DOCUMENT SUBPOENA**

Entlest Brands, Inc. ("Entlest") has failed to respond, let alone raise any challenge, to RLI's Subpoena and subsequent Motion to Compel (Dkt. Nos. 667-668). An order compelling prompt production and imposing sanctions commensurate with Entlest's complete disregard of its discovery obligations is appropriate.

On March 30, 2021, RLI properly effected service of its non-party subpoena *duces tecum* upon Entlest (the "Subpoena"), but Entlest did not produce any documents, serve any objections, or file any responsive motion to the Subpoena, either by its deadline of April 19, 2021, or at any time thereafter. *See* Dkt Nos. 668, 668-1, 668-2. Even upon RLI's filing of the underlying Motion to Compel, Entlest took no action—neither to respond to the Subpoena nor to respond to the motion.¹ Further, Entlest is apparently owned by one of Defendants' members, Richard Moore, rendering its evasive conduct yet another example of the stonewalling that has been prevalent

¹ RLI sent a copy of the Motion and Memorandum to Entlest and to Entlest's registered agent by certified mail and received proof of receipt. **Exhibit 1.**

throughout the case. Entlest's conduct shows a total disregard for the discovery process and rules of this Court. Accordingly, compelling a substantive production in response to the Subpoena and imposing sanctions commensurate with Entlest's refusal to even engage in discovery is appropriate and necessary.

CONCLUSION

In light of the abuse of the discovery process and for the reasons more specifically articulated in its Motion to Compel, RLI prays for an Order compelling Entlest to respond to the Subpoena within fourteen days. Additionally, RLI prays for its attorneys' fees in requesting this motion and for any other relief that the Court deems appropriate.

Dated: June 23, 2021

RLI INSURANCE COMPANY

/s/ Dustin M. Paul

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CERTIFICATE OF SERVICE

I hereby certify that on Wednesday, June 23, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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/s/ Dustin M. Paul